



**CUI//SP-MIL/SP-PRVCY**

**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS**

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2023-02296

*Work-Product*

**COUNSEL:** NONE

**HEARING REQUESTED:** NOT INDICATED

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**APPLICANT'S REQUEST**

He be allowed to transfer his Post-9/11 GI Bill Transfer of Education Benefits (TEB) to his dependents.

**APPLICANT'S CONTENTIONS**

During the time in question, he was deployed to Iraq, and had applied for TEB when the benefit became available. He worked through the instructional email and completed a Statement of Intent (SOI). He provided his commander a Department of Veterans Affairs (VA) Eligibility letter, which states he was 100 percent eligible. He provided the VA letter to his commander because when he previously used the Montgomery GI Bill, the eligibility letter was all he needed to receive education payments. Consequently, his previous experience led him to believe that the eligibility letter was rock-solid evidence that he completed the transfer. This was a mistake on his part. In 2023, at his Transition Assistance Program (TAP) VA Benefits briefing, he was notified that he needed to transfer months to his dependents, which is when he discovered that the TEB SOI in milConnect was incomplete. He has never considered separating prior to 20 years. He has provided exemplary service for 14 years; hence the Air Force has received three times the number of service years it requires for the transfer. He respectfully requests that the DoD correct the record and postmark a SOI to 2009 or waive the four year service commitment.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a currently serving Air Force lieutenant colonel.

On 23 April 2002, the applicant signed DD Form 2366, *Montgomery GI Bill Act of 1984 (MGIB)*, (Chapter 30, Title 38, U.S. Code).

The applicant's Benefits for Education Administrative Services Tool (BEAST) History reflects no record he submitted a TEB request.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

**AFBCMR Docket Number BC-2023-02296  
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Controlled by: SAF/MRB  
CUI Categories: SP-MIL/SP-PRVCY  
Limited Dissemination Control: N/A  
POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

**APPLICABLE AUTHORITY/GUIDANCE**

**Directive-Type Memorandum (DTM) 09-003: Post 9/11 GI Bill**, Attachment 2, paragraph 3.a: Eligible Individuals. Any member of the Armed Forces on or after August 1, 2009, who, at the time of the approval of the individual's request to transfer entitlement to education assistance under this section, is eligible for the Post-9/11 GI Bill, and

(3)(a) For those individuals eligible for retirement on Aug 1, 2009, no additional service is required.

**AFI 36-2306, Voluntary Education Program**, dated 13 Aug 10, Attachment 9. A9.18. Transferability of unused benefits to dependents.

A9.18.7. Time for Transfer, Revocation, and Modification.

A9.18.7.1. Time for Transfer. A member approved to transfer entitlement to educational assistance under this section may transfer such entitlement only while serving as a member of the Armed Forces when the transfer is executed.

A9.18.9. Transfer of Benefits Procedures. All requests and transactions will be completed through the TEB Web application at <https://www.dmdc.osd.mil/TEB/>. Airmen are responsible for correcting inaccurate information. Airmen may request certification of Post-9/11 GI Bill eligibility from the DVA's website prior to requesting to transfer of benefits.

A9.18.9.3. Once certifying officials have approved a request to transfer benefits, Airmen may print a hard copy of the certified TEB request for their personal records. Additional service commitments will be recorded in the appropriate personnel system(s). Additional service commitments resulting from transferring unused Post-9/11 GI Bill benefits begin on the date of request and are served concurrent with any other additional service commitment in effect at the time of the transfer or incurred at any time after the request to transfer benefits. Transfer of Post-9/11 GI Bill benefits, in and of itself, will not limit any other reenlistment option or incentive to which a member may be eligible.

A9.20. AFPC/DPS Specific Procedures (Active Duty) – Transfer of Benefits Option Responsibilities:

A9.20.1. MEMBERS MUST:

A9.20.1.3. Apply for this option through DMDC's (TEB) website (<https://www.dmdc.osd.mil/TEB/>).

**AIR FORCE EVALUATION**

AFPC/DP3SA recommends denying the application. The Defense Manpower Data Center (DMDC) shows no record the applicant applied for TEB. Without a request, eligibility for the program could not be established as AFI 36-2306 AFGM1, The Education Services Program [18.a.(2)] and Directive-Type Memorandum (DTM) 09-003: Post-9/11 GI Bill, Attachment 2 [3.a.(1)], cite the date of request as the date on which the appropriate service obligation would be applied. In accordance with DTM 09-003, Attachment 2 [3.g.(1) and 3.i.], all requests for TEB must be submitted via the DMDC TEB web application while serving as a member of the Armed Forces. Additionally, based on the applicant's Total Active Federal Military Service Date (9 April 2002), he would have incurred a 4 year obligation with TEB approval (DTM 09-003, Attachment 2, 3.a.). Lastly, members reaching 15 years, 6 months in service, who have not been approved for TEB, received a myPers notification of eligibility. The applicant's notification of eligibility was sent on 4 November 2017.

AFPC/DP3SA considered the entire record, including the applicant's submissions and all pertinent materials. Based on the documentation provided by the applicant and analysis of the facts, there

is no evidence of an error or injustice on the part of the Air Force. DMDC shows no record the applicant applied for TEB.

The complete advisory opinion is at Exhibit C.

### **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 21 August 2023 for comment (Exhibit D), and the applicant replied on 6 September 2023. In his response, the applicant contended he was deployed when the Post 9/11 GI Bill was announced and became available - he would like this to be considered as a possible source of error. He recalls reading and completing a Statement of Intent; Could it have been blocked by the college internet servers; lost on the internet; lost by being misfiled; or mistakenly deleted? Another point to verify he thought he completed the TEB action correctly is the benefit is a stipulation in his 2020 divorce decree. He has completed 4 additional 2-year service agreements since 2010, and a total of 15 years after 2009. He believes he completed the 4-year service requirement required to earn the TEB. Further, he did not receive the notification of eligibility. During that time, he was in the middle of a PCS and did not have access to a USAF email or government computer. He disagrees with the recommendation as it does not consider all witnessed base evidence that he provided, nor does it consider the circumstances that could have induced error in the electronic submission system. Not granting this request would be an injustice.

The applicant's complete response is at Exhibit E.

### **FINDINGS AND CONCLUSION**

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. After a careful review of the applicant's contentions to include his response to the Air Force evaluation, documentation submitted in support of the request and the available evidence of record, the Board does not find the applicant has provided sufficient evidence to conclude he is the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DP3SP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant has presented insufficient evidence to show the Air Force prevented him from securing this benefit or that he was treated any differently than those similarly situated. Therefore, the Board recommends against correcting the applicant's records.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

### **RECOMMENDATION**

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

**CERTIFICATION**

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2023-02296 in Executive Session on 3 October 2023:

- Work-Product**, Panel Chair
- Work-Product**, Panel Member
- Work-Product**, Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 12 July 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 10 August 2023.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 21 August 2023.
- Exhibit E: Applicant’s Response, w/atchs, dated 6 September 2023.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

4/9/2024

X **Work-Product**

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Board Operations Manager, AFBCMR  
Signed by: **Work-Product**